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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,281	12/22/2005	Roger Gerard Elisabeth Van Der Linden	NL 030747	5683

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

LANDRUM, EDWARD F

ART UNIT	PAPER NUMBER
3724	

MAIL DATE	DELIVERY MODE
09/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/562,281

Applicant(s)

VAN DER LINDEN ET AL.

Examiner

Edward F. Landrum

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 12/22/2005.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On the first line of page 4 the flushing ports should be labeled 18, not 13.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Based on the drawings and the specification it appears that the hair chamber (13) does not lie between the shaving head holder (10) and any portion of the sidewalls (17) as claimed in claim 1. How is the hair chamber located between the shaving head holder and the sidewalls of the housing if the sidewalls of the housing and the shaving head holder contact each other?

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the internal surface of the screen" in lines 6 and 7. There is insufficient antecedent basis for either of the limitations in the claim.

Claim 4 recites the limitation "the operating position" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Holcomb (U.S Patent No. 2,388,324).

Holcomb teaches (see Figures 1 and 2) a shaver comprising a housing (1). A shaving head holder (generally 5) mounted to the housing and carrying at least one shaving head (5) having an external surface to contact skin as well as hair receiving openings. A cutter (6) is movable along an internal surface of the shaving head (5) capable of cutting off hairs passed through the hair receiving openings. A hair chamber (13) has a bottom and sidewalls and is located between a the shaving head holder and a portion of the housing. The hair chamber has two discharge ports located on opposite sides of the housing (1). The discharge ports have exits at the outside of the housing.

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Closing members (15) are located at each discharge port and are capable of closing off the discharge ports or allowing water to pass through the discharge port. The closing members (15) are mounted to the shaving head holder for displacement from the closed position, where the shaving head holder is in the operating position against a user's skin, into the flushing position, where the shaving head holder is moved away from the operating position (away from the user's skin).

8. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Shaw et al (U.S Patent No. 3,369,294), hereinafter Shaw.

Shaw teaches (see Figures 4 and 9) a shaving device comprising a housing (11). A shaving head holder (27) is mounted to the housing (11) and carries an outer cutter (36) and a cooperating inner cutter (37) that contacts the underside of the outer cutter. The outer cutter has hair receiving openings to allow hair to pass through to be cut by the inner cutter. A hair chamber (near 105 in Figure 4) is located between the shaving head holder (27) and portions of the housing, including a bottom of the hair chamber and sidewalls of the hair chamber. The hair chamber communicates with the environment at an exit (generally 101) at an outside of the housing. The shaving head holder is movable from an operating position to allow access to the hair chamber for cleaning (Col. 4, lines 1-11).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nasu et al (U.S Patent No. 4,442,596), Hara et al (U.S Patent No. 4,475,285),

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Lee (U.S Patent No. 5,261,161), and Bosch (U.S Patent No. 6,354,005) teach elements of the current invention.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward F. Landrum whose telephone number is 571-272-5567. The examiner can normally be reached on Monday-Friday 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EFL

8/28/2007



BOYER D. ASHLEY
SUPERVISORY PATENT EXAMINER